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8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11 OPERATING ENGINEERS' HEALTH AND
WELFARE TRUST FUND FOR NORTHERN
12 CALIFORNIA, et al.,

13 Plaintiffs,

14 v.

15 M.J. GILBERT CONSTRUCTION CO., INC., a
16 California Corporation; MICHAEL J. GILBERT, an
individual,

17 Defendants.

18 Case No. 3:25-cv-01580-JST

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20 **[PROPOSED] ORDER GRANTING**
STIPULATION FOR CONDITIONAL
DISMISSAL

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1 **IT IS SO ORDERED.**

2 In accordance with the settlement and request of the Parties, and good cause appearing therefore,
3 IT IS HEREBY ORDERED that this matter is dismissed conditionally. The Court shall retain
4 jurisdiction over this matter until a final dismissal is entered. In the event that Defendant default in
5 performance of her settlement with Plaintiffs, Plaintiffs' Counsel may file a declaration under penalty
6 of perjury by May 16, 2026, requesting that the dismissal of this matter may not be effectuated by the
7 Court and requesting that this matter be reinstated as result of Defendant's failure to satisfy their
8 obligations under the confidential settlement agreement. If Plaintiffs do not file said declaration by May
9 16, 2026, this Conditional Dismissal shall convert to a Dismissal with Prejudice of this matter effective
10 May 17, 2026, or earlier upon the request of the Parties due to Defendant's earlier satisfaction of the
11 settlement terms.

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13 Dated: May 28, 2025

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15 HONORABLE JON S. TIGAR
16 UNITED STATES DISTRICT JUDGE